

Senate Amendment 3068

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1 1 Amend Senate File 356 as follows:
1 2 ~~#1.~~ By striking page 1, line 1, through page 4,
1 3 line 22, and inserting the following:
1 4 <Section 1. Section 10A.104, subsection 9, Code
1 5 2005, is amended to read as follows:
1 6 9. Administer and enforce this chapter, and
1 7 chapters 99B, 135B, 135C, 135H, ~~and 135J, 137C, 137D,~~
~~1 8 and 137F.~~
1 9 Sec. 2. Section 123.3, subsection 15, Code 2005,
1 10 is amended to read as follows:
1 11 15. "Hotel" or "motel" means premises licensed by
1 12 the Iowa department of ~~inspections and appeals~~ public
~~1 13 health under chapter 137C~~ and regularly or seasonally
1 14 kept open in a bona fide manner for the lodging of
1 15 transient guests, and with twenty or more sleeping
1 16 rooms.
1 17 Sec. 3. Section 135.11, subsection 17, Code 2005,
1 18 is amended to read as follows:
1 19 17. Administer chapters 125, 136A, 136C, ~~137C,~~
~~1 20 137D, 137F,~~ 139A, 142, 142A, 144, ~~and 147A, and 196.~~
1 21 Sec. 4. Section 137C.2, subsections 2 and 3, Code
1 22 2005, are amended to read as follows:
1 23 2. "Director" means the director of ~~the department~~
~~1 24 of inspections and appeals~~ public health or the
1 25 director's designee.
1 26 3. "Department" means the Iowa department of
1 27 ~~inspections and appeals~~ public health.
1 28 Sec. 5. Section 137D.1, subsection 2, Code 2005,
1 29 is amended to read as follows:
1 30 2. "Department" means the Iowa department of
1 31 ~~inspections and appeals~~ public health.
1 32 Sec. 6. Section 137D.2, subsection 1, Code 2005,
1 33 is amended to read as follows:
1 34 1. A person shall not open or operate a home food
1 35 establishment until a license has been obtained from
1 36 the Iowa department of ~~inspections and appeals~~ public
~~1 37 health.~~ The department shall collect a fee of twenty=
1 38 five dollars for a license. After collection, the
1 39 fees shall be deposited in the general fund of the
1 40 state. A license shall expire one year from date of
1 41 issue. A license is renewable.
1 42 Sec. 7. Section 137F.1, subsections 3 and 4, Code
1 43 2005, are amended to read as follows:
1 44 3. "Department" means the Iowa department of
1 45 ~~inspections and appeals~~ public health.
1 46 4. "Director" means the director of ~~the department~~
~~1 47 of inspections and appeals~~ public health or the
1 48 ~~director's designee.~~
1 49 Sec. 8. Section 196.1, subsection 3, Code 2005, is
1 50 amended to read as follows:
2 1 3. "Department" means the Iowa department of
2 2 ~~inspections and appeals, as established in section~~
~~2 3 10A.102~~ public health.
2 4 Sec. 9. Section 331.756, subsection 32, Code 2005,
2 5 is amended to read as follows:
2 6 32. Assist the Iowa department of ~~inspections and~~
~~2 7 appeals~~ public health in the enforcement of the Iowa
2 8 food code and the Iowa hotel sanitation code as
2 9 provided in sections 137F.19 and 137C.30.
2 10 Sec. 10. CODES, RULES, AGREEMENTS, AND
2 11 APPROPRIATIONS TRANSFER.
2 12 1. The following codes and standards adopted by
2 13 the director of the department of inspections and
2 14 appeals under section 137F.2, Code 2005, shall remain
2 15 in effect until modified or rescinded by the director
2 16 of public health:
2 17 a. Hotel sanitation code adopted under chapter
2 18 137C, Code 2005.
2 19 b. Home food establishment standards adopted under
2 20 chapter 137D, Code 2005.
2 21 c. Food code adopted under chapter 137F, Code
2 22 2005.
2 23 d. Egg handler standards adopted under chapter
2 24 196, Code 2005.

2 25 2. The administrative rules adopted by the
2 26 department of inspections and appeals under chapters
2 27 137C, 137D, 137F, and 196, Code 2005, shall remain in
2 28 effect until modified or rescinded by the Iowa
2 29 department of public health.

2 30 3. Effective July 1, 2005, an agreement entered
2 31 into under chapter 137C or 137F, Code 2005, between
2 32 the director of the department of inspections and
2 33 appeals and a municipal corporation for the municipal
2 34 corporation to license, inspect, and enforce chapter
2 35 137C or 137F within the municipal corporation's
2 36 jurisdiction shall be deemed to be an agreement with
2 37 the director of public health and shall remain in
2 38 effect until expiration of the agreement or the
2 39 agreement is modified or rescinded by the parties to
2 40 the agreement.

2 41 4. Effective July 1, 2005, the Iowa department of
2 42 public health shall assume the departmental duties
2 43 outlined in the codes, standards, and administrative
2 44 rules adopted under chapters 137C, 137D, 137F, and 196
2 45 in place of the department of inspections and appeals.

2 46 5. Appropriations made from the general fund of
2 47 the state for the fiscal year beginning July 1, 2005,
2 48 and ending June 30, 2006, to the department of
2 49 inspections and appeals for administration and
2 50 enforcement of chapters 137C, 137D, 137F, and 196
3 1 shall be transferred to the Iowa department of public
3 2 health.

3 3 Sec. 11. TRANSITION OF EMPLOYEES. Effective July
3 4 1, 2005, all employees of the department of
3 5 inspections and appeals performing functions related
3 6 to chapters 137C, 137D, 137F, and 196, as of June 30,
3 7 2005, shall become employees of the Iowa department of
3 8 public health without loss of classification, pay, or
3 9 benefits.>

3 10 #2. Title page, by striking lines 1 through 5 and
3 11 inserting the following: <An Act providing for the
3 12 Iowa department of public health to administer the
3 13 hotel sanitation code, regulation of home food
3 14 establishments, Iowa food code, and regulation of egg
3 15 handlers in place of the department of inspections and
3 16 appeals.>

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